

Liber W. C. ary in the yeare of our Lord One thousand six hundred Seventy seven, by his certaine bond or Obligation Sealed with the Seale of him the said Richard & here in Court produced whose date is the day & yeare abovesaid, did confesse and acknowledge to be holden & firmly bounden unto the said Philip Siverett in the full & just quantity of Eight thousand pounds of good sound & M<sup>r</sup>chantable tobacco in caske to be paid to the said Philip or to his certaine Attorney his Ex<sup>rs</sup> Ad<sup>rs</sup> or assignes in Smiths Creeke in S<sup>t</sup> Maryes County in the Province aforesaid att or before the tenth day of Octob<sup>r</sup> then next, being in consideration of Goods received of said Siverett in October last, & was to be paid in Novemb<sup>r</sup> last, & being not performed, he bound himselfe his heyres Ex<sup>rs</sup> & Adm<sup>rs</sup> firmly by those p<sup>r</sup>sents. Yett notwithstanding the said Richard in his life tyme or the said Gerard since his death the said Sum<sup>e</sup> of Eight thousand pounds of tobacco to him the said Philip though often thereunto requested hath not paid or satisfied, but the same to pay haue hitherto & still doe deny & refuse to the the damage of the said Philip ten thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Gerard by Christopher Rousby his Attorn[ey] cometh & defendeth the force & injury when &c and prayeth the hearing of the writing obligatory aforesaid & itt is read unto him, he also prayeth the hearing of the Condition of the said writing obligatory & itt is read unto him in these words following—This Obligation is such, that if the above bounden Richard Chillman doe well & truely pay unto the abovesaid Philip Siverett or his assignes the full quantity of foure thousand pounds of good sound M<sup>r</sup>chantable tobacco in caske to be paid unto the said Siveret or his assignes in Smiths Creeke in S<sup>t</sup> Maryes County aforesaid att or before the tenth day of Octob<sup>r</sup> next ensuing the date hereof Then this Obligation is to be Void & of none effect, otherwise to stand in force & Vertue. which being read & heard the said Gerard by his Attorney aforesaid saith, that he the said Philip his action aforesaid against him the said Gerard ought not to haue, because he saith, that as to so much of the Estate which belonged to the said Richard Chillman att the tyme of his death, and which is come to the hands and possession of him the said Gerard, the same is not sufficien[t] to satisfie a certaine debt which was due to the said Gerard from the said Richard att the tyme of his death by bond under hand & Seale of the said Richard duely executed, & as to the residue of the said Estate, to witt certaine debts due to the said Richard, the said Gerard hath comēced severall actions for the recovery of the same

p. 84 in the Provinciaall Court & County Court of S<sup>t</sup> Maryes, which actions are still depending & undetermined And this Defend<sup>t</sup> further saith, that there are severall judgm<sup>ts</sup> for debts upon bonds allready obtained against this Defend<sup>t</sup> as Adm<sup>r</sup> of Richard Chillman both in the